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In Re Application of: Bennett et al.

APR 26 2002

Serial No.: 09/315,292

Group Art Unit: 1635 TECH CENTER 1600,2900

Filing Date: May 20, 1999

Examiner: J. Zara

For: COMPOSITIONS AND METHODS FOR THE PULMONARY DELIVERY  
OF NUCLEIC ACIDS

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DATE OF DEPOSIT: April 15, 2002

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REGISTRATION NO.: 48,491

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RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURE

In response to the "Notice to Comply With Requirements for Patent Applications  
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" dated March 26,  
2002, a response to which is due April 26, 2002, enclosed herewith is:

- ☒ Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;
- ☒ Substitute pages of the Sequence Listing;
- ☒ Substitute copy of the computer readable form of amended Sequence Listing;
- ☒ Amendment Directing Entry of Sequence Listing into Specification is attached
- ☒ Copy of Notice to Comply With Requirements for Patent Applications

Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;



Other:



Request is hereby made under 37 CFR 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application of @@@ to and through @@@, comprising an extension of the shortened period of @@@ months:

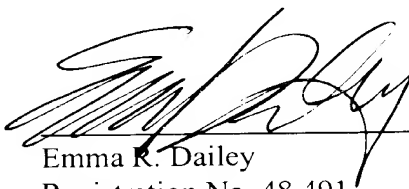
	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$0.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$200	\$	\$400	\$0.00
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$460	\$	\$720	\$0.00
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$720	\$	\$1440	\$0.00
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$980	\$	\$1960	\$0.00
TOTAL FEE DUE				0.00

Applicant(s) has/have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.207.

Total fee required \$0.00

The Commissioner is hereby authorized to charge any underpayment associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

Date: April 15, 2002

  
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Application No.: 09/315,292

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and 45 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

☒ 7. Other: Please insert appropriate Seq ID No into Claim 63.

**Applicant Must Provide:**

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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